

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	1762.01
COMPLAINT INVESTIGATOR:	Sandie Scudder
DATE OF COMPLAINT:	May 25, 2001
DATE OF REPORT:	June 15, 2001
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	July 11, 2001

COMPLAINT ISSUES:

Whether the School Town of Highland and the Northwest Indiana Special Education Cooperative violated:

-511 IAC 7-27-9(b) with regard to the school's alleged failure to make available to a student with a disability the same nonacademic and extracurricular activities that it makes available to students without disabilities, specifically, participation in the graduation ceremony.

FINDINGS OF FACT:

1. The student (Student) is a senior, is 18 years old, and was determined eligible for special education and related services as a student with an emotional disability in March 2001. The Student is currently in a therapeutic day program.
2. The school's policy, printed in the *Parent /Student Handbook*, specifies that students must complete the graduation requirements in order to participate in the graduation ceremony.
3. The Student was hospitalized five times during the 2000-2001 school year. Due to absences from school, the Student had not completed the graduation requirements at the time of graduation on June 3, 2001. In order to participate in the graduation ceremony, the Student had to complete the class assignments and pass the final tests for English and Economics by June 1, 2001. The School declined to allow the Student to participate in the graduation ceremony and then receive his diploma after completing the graduation requirements.
4. The Student completed the graduation requirements and received his diploma on June 13, 2001.

CONCLUSION:

Findings of Fact #2 through #4 indicate the school's policy requires every student to complete graduation requirements in order to participate in the graduation ceremony. The Student did not complete these requirements by the established deadline and was not permitted to participate in the graduation ceremony. The Student was subject to the same requirements as his nondisabled peers. Therefore, no violation of 511 IAC 7-27-9(b) occurred.

The Department of Education, Division of Special Education requires no corrective action based on the Findings of Fact and the conclusion listed above.

DATE REPORT COMPLETED: June 15, 2001

